

IN RE: PETITION FOR ADMIN. VARIANCE  
SE/S Bentley Road, 1007' NE  
of Kaufman Road  
(223 Bentley Road)  
7th Election District  
6th Councilmanic District  
  
Jerry Phillips  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-18-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 223 Bentley Road, located in the vicinity of Kaufman Road in Parkton. The Petition was filed by the owner of the property, Jerry Phillips. Specifically, relief is sought from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (64' x 32' storage building), to be located in the front and side yards in lieu of the required rear yard placement, and to exceed the size of the dwelling, pursuant to the definition found in Section 101 of the B.C.Z.R. of occupancy, use, or structure. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

As noted above, the Petition was filed through the administrative variance process. However, as a result of numerous letters received from surrounding property owners opposing the relief sought, the matter was scheduled for a public hearing to determine the appropriateness of the relief requested.

Appearing at the hearing held in this matter were Jerry Phillips, property owner, James McKinney, Zoning Consultant, Frank Lee, Registered Property Line Surveyor, and Michael Marino, Esquire, attorney for the

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Petitioner. Appearing as Protestants in the matter were Pete Marcher and Joseph Nawrocki, nearby residents of Bentley Road.

Testimony and evidence offered revealed that the subject property consists of a gross area of 5.733 acres, more or less, zoned R.C. 5 and is improved with a two-story dwelling and attached garage, and a detached one-story building, 64' x 32' in dimension, which is the subject of this request. The property is also known as Lot 35 of Bentley Estates, and is accessed by way of a long driveway which runs between Lots 34 and 36 from Bentley Road. Mr. Phillips testified that he has resided in the area all of his life. He recently purchased the subject property after having resided on the site for many years. He characterized the topography of the site and noted that the front portion of his lot is flat and that a steep slope falls away behind the dwelling, limiting potential construction in the rear of the property. Moreover, he observed the placement of the septic drain field towards the rear of the property. Mr. Phillips recently commenced construction of the subject building on the site. As noted above, the building is a single story structure, 64 feet wide and 32 feet deep, and is proposed to be utilized for storage purposes. Mr. Phillips testified the items to be stored therein would be limited to materials incidental to the upkeep and maintenance of the subject property and denied that this structure would be used for any commercial or business purposes, nor would same be converted for dwelling uses.

Mr. Frank Lee testified on behalf of the Petitioner and corroborated Mr. Phillip's testimony relating to the site layout and topographical conditions of the property. Mr. Lee testified that the proposed building was consistent with other uses in this area. As to the uniqueness of the site, Mr. Lee observed the steep slopes and the placement of the septic

system which severely limits the buildable area on this lot. He also produced photographs of the property which depict the garage and landscaping nearby.

The Protestants who appeared were largely concerned about the proposed use of this structure. They note that Mr. Phillips is in business for himself and are concerned that the building will be used for commercial purposes. As was made clear at the hearing, the subject building is accessory in nature and will only be utilized to store those items incidental to the maintenance and enjoyment of the subject property.

Variances must be considered in accordance with the provisions of Section 307.1 of the B.C.Z.R. and the case law. In order for relief to be granted, the Petitioner must show that a practical difficulty would result if strict adherence to the regulations were required. In the recent case of Cromwell v. Ward, 102 Md. App. 691 (1995), the Court observed that the B.C.Z.R. requires that the property bear some unique characteristic in support of the variance relief. In this case, the uniqueness of the site is obvious; namely, the steep slope immediately to the rear of the existing dwelling. This condition clearly presents the property owner with a practical difficulty and limits the area of building. The Petitioner must also demonstrate that variance relief is appropriate and within the spirit and intent of the zoning regulations. It must also be shown that a granting of the relief requested will not be detrimental to the area. Properly restricted, I believe that the Petitioner has met his burden in this regard. This is a large lot which can easily support the subject building. Moreover, it is properly buffered and landscaped from surrounding properties. However, certain conditions should be attached to the granting of the relief requested in order to insure that no adverse impact results to

ORDER RECEIVED FOR FILING

Date

By

the surrounding community. These restrictions attach not only to the Petitioner in this case, but shall run with the land and the variance relief granted for this property. Specifically, I will prohibit any commercial/business activity on the subject property nor can the building be utilized for dwelling purposes. In order to insure compliance with these restrictions, a representative of the Zoning Enforcement Division shall be permitted access to the property on a reasonable basis.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of September, 1995 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (64' x 32' storage building), to be located in the front and side yards in lieu of the required rear yard placement, and to exceed the size of the dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. This storage building shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) The use of the subject building is limited to the storage of materials incidental to the upkeep and maintenance of the subject property. There shall be no business or commercial use of the subject structure.

ORDER RECEIVED FOR FILING

Date

By

4) Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 9/22/95  
By [Signature]

MICROFILMED

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

September 22, 1995

Mr. Jerry Phillips  
223 Bentley Road  
Parkton, Maryland 21120

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
SE/S Bentley Road, 1007' NE of Kaufman Road  
(223 Bentley Road)  
7th Election District - 6th Councilmanic District  
Jerry Phillips - Petitioner  
Case No. 96-18-A

Dear Mr. Phillips:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Pete Marcher  
100 Bentley Road, Parkton, Md. 21120

Mr. Joseph A. Nawrocki  
115 Bentley Road, Parkton, Md. 21120

Mr. Clyde Heintzelman, President, Chalet de La Rance Comm. Assoc.  
6 Edelweiss Way, Parkton, Md. 21120

People's Counsel; Case File



ENCLOSURE



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at

223 Bentley Rd. Parkton, MD. 21120

which is presently zoned RC-4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1-to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard, and to exceed the size of the dwelling as limited in section 101 BCZR definition of occupancy use or structure, and to permit a setback of 22' in lieu of the required 50'. *See* of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Do to the severe slope of the land this is the only suitable site available. See photos.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s).

Jerry Phillips

(Type or Print Name)

Signature

(Type or Print Name)

Signature

223 Bentley Rd.

Address

357-8405

Phone No.

Parkton, MD. 21120

City

State

Zipcode

Name, Address and phone number of representative to be contacted

James Mc Kinney

Name

7633 South Bend Rd.

Address

477-1677

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

ESTIMATED POSTING DATE: \_\_\_\_\_

Printed with Soybean Ink  
on Recycled Paper

ITEM #: 24

ORDER RECEIVED FOR FILING

Date

By

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 223 Bentley Rd.  
address

Parkton, MD 21120  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Do to the adverse topography of the site this is the only possible location suitable for this building.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

(signature)

(type or print name)



(signature)

Jerry Phillips

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

date

NOTARY PUBLIC

My Commission Expires:



# FRANK S. LEE

*Registered Land Surveyor*

1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

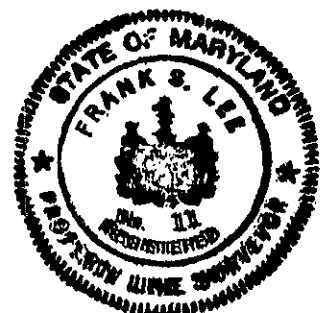
June 12, 1995

No. 223 Bentley Road  
7th District Baltimore County, Maryland

Beginning for the same on the southeast side of Bentley Road at the distance of 1007 feet more or less measured northeasterly along the southeast side of Bentley Road from the centerline of Kaufman Road, and being known as Lot 35 as laid out on the plat of Section 3, Bentley Estates and recorded among the land records of Baltimore County in Plat Book 37 folio 15.

Containing 5.733 acres of land more or less.

MICROFILMED



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

96-18-12

District 7th Date of Posting 7/25/95

Posted for: Vorhies

Petitioner: Larry Phillips

Location of property: 883 Ben Hay Rd.

Location of Signs: Facing road on property being posted

Remarks:

Posted by [Signature] Date of return: 7/4/95

Number of Signs: 1



100-100-100

# CERTIFICATE OF PUBLICATION

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-18-A  
(Item 24)  
223 Bentley Road  
SE/S Bentley Road, 1007'  
NE of Kaufman Road  
7th Election District  
7th Councilmanic  
Legal Owner(s):  
Jerry Phillips  
Hearing: Monday,  
September 18, 1995 at  
10:00 a.m. in Rm. 118, Old  
Courthouse.

Variance to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard and to exceed the size of the dwelling.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations. Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.  
8/36, Aug. 31.

TOWSON, MD.,

9/1, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/31, 1995.

THE JEFFERSONIAN,

*A. Henrichson*

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

ITEM# 24  
NO. 007650  
BY JLL.

DATE 7/20/95 ACCOUNT RC0016150

AMOUNT \$ 85.00

RECEIVED FROM: AIM INC 96-18-A

FOR: RV FILING- CODE 010 (50.00)  
1 SIGN CODE 080 (35.00)  
ADJUTANT GENERAL 85.00  
BA 0001:07PND7-20-95

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 24  
Petitioner: Larry Phillips  
Location: Parkton

**PLEASE FORWARD ADVERTISING BILL TO:**

NAME: Larry Phillips  
ADDRESS: 223 Bantley Rd.  
Parkton, MD. 21120  
PHONE NUMBER: 357-8405

AJ:ggs

(Revised 04/09/93)



Printed with Soybean Ink  
on Recycled Paper

**MICROFILMED**

TO: PUTUXENT PUBLISHING COMPANY  
August 31, 1995 Issue - Jeffersonian

Please forward billing to:

Jerry Phillips  
223 Bentley Road  
Parkton, MD 21120  
357-8405

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-18-A (Item 24)  
223 Bentley Road  
SE/S Bentley Road, 1007' NE of Kaufman Road  
7th Election District - 7th Councilmanic  
Legal Owner(s): Jerry Phillips  
HEARING: MONDAY, SEPTEMBER 18, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard and to exceed the size of the dwelling.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 25, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-18-A (Item 24)

223 Bentley Road

SE/S Bentley Road, 1007' NE of Kaufman Road

7th Election District - 7th Councilmanic

Legal Owner(s): Jerry Phillips

HEARING: MONDAY, SEPTEMBER 18, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard and to exceed the size of the dwelling.

Arnold Jablon  
Director

cc: Jerry Phillips/223 Bentley Rd/Parkton MD 21120  
James McKinney/7633 South Bend Rd/Baltimore MD 21222  
Paula R. Saggese/227 Bentley Rd/Parkton MD 21120  
Joseph A. Nawrocki/115 Bentley Rd/Parkton MD 21120  
Dolores and Frank Geis/235 Bentley Rd/Parkton MD 21120  
Clyde A. Heintzelman/6 Edelweiss Way/Parkton MD 21120  
John E. Hayter/232 Bentley Rd/Parkton MD 21120  
Betty Nawrocki/115 Bentley Rd/Parkton MD 21120  
William and Lynette Sewell/11 Bentley Rd/Parkton MD 21120  
Mark Herwig/239 Bentley Rd/Parkton MD 21120  
Linda Hutchinson-Troyer and Walter L. Troyer/242 Bentley Rd/Parkton MD 21120  
Brian and Barbara Behounek/229 Bentley Rd/Parkton MD 21120  
Robert M. and Gail L. Vogel/208 Bentley Rd/Parkton MD 21120  
Charles T. and Joan C. Carroll/109 Bentley Rd/Parkton MD 21122

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 8, 1995

Mr. Jerry Phillips  
223 Bentley Road  
Parkton, Maryland 21120

RE: Item No.: 24  
Case No.: 96-18-A  
Petitioner: J. Phillips

Dear Mr. Phillips:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 20, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)






BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: August 2, 1995

FROM: Pat Keller, Director   
Office of Planning and Zoning

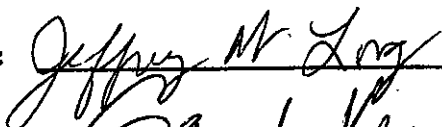
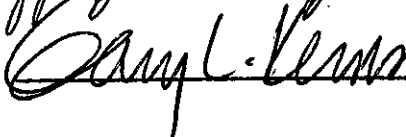
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 17, 21, 24, and 25.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

  
\_\_\_\_\_  
Division Chief:   
\_\_\_\_\_

PK/JL

MICROFILMED

ITEM17/PZONE/TXTJWL

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E   C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: August 7, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for August 7, 1995  
Items 020, 021, 022, 024, 025, 026 and 027

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22,  
23, 24, 25 AND 27. 5

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED

AUG 1 1995

ZADM





**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

7-28-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 024 (JLL)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 7/31/95

DATE: 7/31/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 17  
18  
24  
25  
26  
27

LS:sp

LETTY2/DEPRM/TXTSBP

10/1/95

**PETITION PROBLEMS  
AGENDA OF JULY 31, 1995**

**#18 --- JJS/MJK**

1. Receipt not given to petitioner; still in folder.

**#20 --- JRA**

1. Folder not marked "critical area".
2. No zoning indicated on petition form.

**#23 --- CAM**

1. Receipt not given to petitioner; still in folder.
2. Folder not marked "critical area".
3. No review information on bottom of petition form.

**#24 --- JLL**

1. Folder says RC-5; petition says RC-4. Which is correct?

**#25 --- JCM**

1. Notary section is incorrect.

**#26 --- CAM**

1. Receipt not given to petitioner; still in folder.
2. No telephone number for legal owner.
3. No review information on bottom of petition.

**MICROFILMED**

**DATE:** July 20, 1995

**TO:** Hearing Officer

**FROM:** John L. Lewis  
Planner II, PDM

**SUBJECT:** Item #24  
223 Bentley Road

JLL:scj

1. Introduction  
 2. Background  
 3. Methodology  
 4. Results  
 5. Conclusion  
 6. References  
 7. Appendix  
 8. Index  
 9. Table of Contents  
 10. Summary  
 11. Abstract  
 12. Keywords  
 13. Subject  
 14. Topic  
 15. Field  
 16. Area  
 17. Discipline  
 18. Department  
 19. Faculty  
 20. School  
 21. College  
 22. University  
 23. Institution  
 24. Organization  
 25. Company  
 26. Government  
 27. Non-Profit  
 28. For-Profit  
 29. Academic  
 30. Research  
 31. Development  
 32. Production  
 33. Manufacturing  
 34. Service  
 35. Healthcare  
 36. Education  
 37. Technology  
 38. Engineering  
 39. Architecture  
 40. Design  
 41. Art  
 42. Music  
 43. Dance  
 44. Theater  
 45. Cinema  
 46. Television  
 47. Radio  
 48. Journalism  
 49. Public Relations  
 50. Marketing  
 51. Sales  
 52. Customer Service  
 53. Human Resources  
 54. Finance  
 55. Accounting  
 56. Law  
 57. Medicine  
 58. Nursing  
 59. Pharmacy  
 60. Dentistry  
 61. Veterinary  
 62. Biotechnology  
 63. Environmental Science  
 64. Geography  
 65. History  
 66. Philosophy  
 67. Psychology  
 68. Sociology  
 69. Political Science  
 70. Economics  
 71. Mathematics  
 72. Science  
 73. Engineering  
 74. Architecture  
 75. Design  
 76. Art  
 77. Music  
 78. Dance  
 79. Theater  
 80. Cinema  
 81. Television  
 82. Radio  
 83. Journalism  
 84. Public Relations  
 85. Marketing  
 86. Sales  
 87. Customer Service  
 88. Human Resources  
 89. Finance  
 90. Accounting  
 91. Law  
 92. Medicine  
 93. Nursing  
 94. Pharmacy  
 95. Dentistry  
 96. Veterinary  
 97. Biotechnology  
 98. Environmental Science  
 99. Geography  
 100. History  
 101. Philosophy  
 102. Psychology  
 103. Sociology  
 104. Political Science  
 105. Economics  
 106. Mathematics  
 107. Science  
 108. Engineering  
 109. Architecture  
 110. Design  
 111. Art  
 112. Music  
 113. Dance  
 114. Theater  
 115. Cinema  
 116. Television  
 117. Radio  
 118. Journalism  
 119. Public Relations  
 120. Marketing  
 121. Sales  
 122. Customer Service  
 123. Human Resources  
 124. Finance  
 125. Accounting  
 126. Law  
 127. Medicine  
 128. Nursing  
 129. Pharmacy  
 130. Dentistry  
 131. Veterinary  
 132. Biotechnology  
 133. Environmental Science  
 134. Geography  
 135. History  
 136. Philosophy  
 137. Psychology  
 138. Sociology  
 139. Political Science  
 140. Economics  
 141. Mathematics  
 142. Science  
 143. Engineering  
 144. Architecture  
 145. Design  
 146. Art  
 147. Music  
 148. Dance  
 149. Theater  
 150. Cinema  
 151. Television  
 152. Radio  
 153. Journalism  
 154. Public Relations  
 155. Marketing  
 156. Sales  
 157. Customer Service  
 158. Human Resources  
 159. Finance  
 160. Accounting  
 161. Law  
 162. Medicine  
 163. Nursing  
 164. Pharmacy  
 165. Dentistry  
 166. Veterinary  
 167. Biotechnology  
 168. Environmental Science  
 169. Geography  
 170. History  
 171. Philosophy  
 172. Psychology  
 173. Sociology  
 174. Political Science  
 175. Economics  
 176. Mathematics  
 177. Science  
 178. Engineering  
 179. Architecture  
 180. Design  
 181. Art  
 182. Music  
 183. Dance  
 184. Theater  
 185. Cinema  
 186. Television  
 187. Radio  
 188. Journalism  
 189. Public Relations  
 190. Marketing  
 191. Sales  
 192. Customer Service  
 193. Human Resources  
 194. Finance  
 195. Accounting  
 196. Law  
 197. Medicine  
 198. Nursing  
 199. Pharmacy  
 200. Dentistry  
 201. Veterinary  
 202. Biotechnology  
 203. Environmental Science  
 204. Geography  
 205. History  
 206. Philosophy  
 207. Psychology  
 208. Sociology  
 209. Political Science  
 210. Economics  
 211. Mathematics  
 212. Science  
 213. Engineering  
 214. Architecture  
 215. Design  
 216. Art  
 217. Music  
 218. Dance  
 219. Theater  
 220. Cinema  
 221. Television  
 222. Radio  
 223. Journalism  
 224. Public Relations  
 225. Marketing  
 226. Sales  
 227. Customer Service  
 228. Human Resources  
 229. Finance  
 230. Accounting  
 231. Law  
 232. Medicine  
 233. Nursing  
 234. Pharmacy  
 235. Dentistry  
 236. Veterinary  
 237. Biotechnology  
 238. Environmental Science  
 239. Geography  
 240. History  
 241. Philosophy  
 242. Psychology  
 243. Sociology  
 244. Political Science  
 245. Economics  
 246. Mathematics  
 247. Science  
 248. Engineering  
 249. Architecture  
 250. Design  
 251. Art  
 252. Music  
 253. Dance  
 254. Theater  
 255

John E. Hayter  
232 Bentley Road  
Parkton, Maryland 21120

August 10, 1995

Office of Zoning Administration and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Reference: Case No. 96-18-A  
223 Bentley Road

Dear Sir/Madam:

I am writing to request that the request for a zoning variance for the referenced property be denied. The proposed structure is not appropriate to the context of the neighborhood. The Bentley Estates subdivision is a residential neighborhood. The size of the outbuilding indicates a potential for commercial use, which is not appropriate nor sought within this residential neighborhood. The potential for increased traffic, resulting from customers and delivery vehicles is not acceptable within a residential neighborhood.

The proposed outbuilding is also inappropriate in terms of architectural design. This building will be larger than the dwelling. Within the neighborhood, existing outbuildings include garages for 1 or 2 cars and garden sheds approximating 10 feet by 10 feet. However, none of these buildings are larger than the dwellings. Additionally, by locating the building in the front yard of the property, it is visible from the roadway and detracts from the scenic views of the area.

I am also concerned that allowing the construction of this building will negatively affect the property values. Any reduction in value could result in loss of tax revenue to the county.

Allowing the variance will set a dangerous precedent for the neighborhood. If this one is allowed, how can future requests be denied? Denying this request for a variance will help to maintain the integrity of the existing neighborhood. Approving this request will be the first step downward toward a less valuable area.

In making your decision, I am requesting that neither the current stage of construction nor the monetary investment be taken into account. Expenses incurred prior to seeking zoning approval and potential demolition costs do not justify approval and should not be a factor in your decision.

In closing, I am again requesting that the zoning variance be denied. Compliance with the existing zoning requirements will not impose practical difficulty or unreasonable hardship. Denying the variance will maintain the general welfare of the residents of the neighborhood.

Please forward one copy of this letter to the zoning commissioner hearing this case.

Very truly yours,

John E. Hayter

8/11/95  
to file  
GS  
Y

3827-95

RECEIVED

AUG 11 1995

ZADM



John E. Hayter  
232 Bentley Road  
Parkton, Maryland 21120

August 10, 1995

Office of Zoning Administration and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Reference: Case No. 96-18-A  
223 Bentley Road

Dear Sir/Madam:

I am writing to request that the request for a zoning variance for the referenced property be denied. The proposed structure is not appropriate to the context of the neighborhood. The Bentley Estates subdivision is a residential neighborhood. The size of the outbuilding indicates a potential for commercial use, which is not appropriate nor sought within this residential neighborhood. The potential for increased traffic, resulting from customers and delivery vehicles is not acceptable within a residential neighborhood.

The proposed outbuilding is also inappropriate in terms of architectural design. This building will be larger than the dwelling. Within the neighborhood, existing outbuildings include garages for 1 or 2 cars and garden sheds approximating 10 feet by 10 feet. However, none of these buildings are larger than the dwellings. Additionally, by locating the building in the front yard of the property, it is visible from the roadway and detracts from the scenic views of the area.

I am also concerned that allowing the construction of this building will negatively affect the property values. Any reduction in value could result in loss of tax revenue to the county.

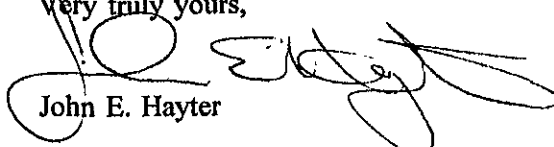
Allowing the variance will set a dangerous precedent for the neighborhood. If this one is allowed, how can future requests be denied? Denying this request for a variance will help to maintain the integrity of the existing neighborhood. Approving this request will be the first step downward toward a less valuable area.

In making your decision, I am requesting that neither the current stage of construction nor the monetary investment be taken into account. Expenses incurred prior to seeking zoning approval and potential demolition costs do not justify approval and should not be a factor in your decision.

In closing, I am again requesting that the zoning variance be denied. Compliance with the existing zoning requirements will not impose practical difficulty or unreasonable hardship. Denying the variance will maintain the general welfare of the residents of the neighborhood.

Please forward one copy of this letter to the zoning commissioner hearing this case.

Very truly yours,

  
John E. Hayter

RECEIVED

AUG 11 1995

ZADM

✓ 6 Edelweiss Way  
Parkton, Maryland 21120  
August 11, 1995

8/14/95  
Y  
JO 68

15-65  
3833-95-

Administrator,  
Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Reference Case #96-18-A

Dear Sir/Madam:

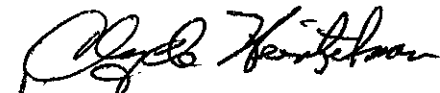
I am writing you as President of the Community Association for Chalet de La Rance, Section Number One, to protest the variance exception request in the above case. The members of our association have been polled and are unanimous in opposing the requested zoning exception for the proposed building.

Our community is a total residential area, with beautiful landscaping, rolling hills, and strong covenants that preclude businesses or unattractive exterior buildings to be built or which might increase traffic on our narrow winding roads. The proposed building clearly does not fit the community environment nor the desires of our residents. This is a HUGE building, larger than the present resident house existing adjacent to the proposed building. Clearly, this building is meant for other than housing a lawn tractor or garden tools, the only kind of such exterior buildings existing in our community. Of even greater concern is the fact that this building is already constructed, under roof, and simply waiting for very, very large garage doors to be attached on either end of the building. How can such a building be constructed PRIOR to the date for input from the citizens, concerning the requested variance? As of today this building is largely completed, and the input date for the hearing is not until August 14, 1995. Clearly this individual has "jumped the gun" on his building, assuming that no citizen or citizen group would oppose this Variance. In fact we do oppose the building, based on the size, the clear recognition that this is being planned as some kind of business, and the narrow streets will simply not handle increased traffic volumes in our residential community.

Since I will not be able to attend the formal review of the variance request, please accept this letter as my formal objection to the requested building, even though located off the highway. This letter also represents the opinion of our Community Association Members, a community located adjacent to the residential area where this building has been constructed.

Should you wish to discuss this appeal in a more informal and personal way, you may call me on 410-357-8989.

Very truly yours,



Clyde A. Heintzelman  
President, Chalet de La Rance Community Association

Copy to: Officers-Community Association

**RECEIVED**

AUG 14 1995

DEPT. OF PERMITS & LICENSES  
DE BALTIMORE COUNTY

MICROFILMED

8/11/95 3808-95-  
S  
to file

Paula R. Saggese  
227 Bentley Road  
Parkton, Maryland 21120

August 9, 1995

Department of Permits  
and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Case #96-18-A

Dear sir/madam:

I hereby wish to protest the zoning request being sought at 223 Bentley Road.

The building (which is already erected) not only appears to be built too close to property lines, but also violates the restrictions of our development, Bentley Estates. I have attached a photocopy of said restrictions for your reference.

Further, inasmuch as the resident at 223 Bentley Road is a gunsmith, I am deeply concerned that the storage building he has erected will be used to house guns, gun-making equipment, and ammunition. Also, I am worried that guns may be tested at his residence.

When my husband and I bought our property in 1974 we, like my neighbors, assumed that our neighborhood would remain a residential area and felt that the restrictions mentioned above would help to ensure that assumption. However, the zoning request which is being sought would not only detrimentally affect the aesthetics of our neighborhood, but more importantly, could subject our community to increased crime.

Therefore, in light of the above, I ask that the zoning request for 223 Bentley Road be denied.

Sincerely

*Paula R. Saggese*  
Paula R. Saggese

RECEIVED

Enc: 3

AUG 10 1995

ZADM

MICROFILMED

THIS DECLARATION, Made this 2nd day of January, 1974, by  
GLOCK, INC.

WHEREAS, Glock, Inc. is the owner of a tract of land containing approximately 150 acres by virtue of a deed dated August 31, 1973 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5396, folio 878 from Elsie M. Hersey.

WHEREAS, the said Glock, Inc. has caused said land to be subdivided into lots by the recording of three subdivision plats entitled as follows: Section I, Bentley Estates, said Plat being recorded in Plat Book E.H.K.Jr. No. 37, folio 13; Section II, Bentley Estates, said Plat being recorded in Plat Book E.H.K.Jr. No. 37, folio 14; Section III, Bentley Estates, said Plat being recorded in Plat Book E.H.K. Jr. No. 37, folio 15.

WHEREAS, Glock, Inc. executed and delivered unto Northeastern Bohemian Savings and Loan Association, Inc. a mortgage on the aforementioned tract of land, said mortgage being dated August 31, 1973 and recorded among the aforesaid Land Records in Liber E.H.K.Jr. No. 5396, folio 881.

WHEREAS, Northeastern Bohemian Savings and Loan Association, Inc. has consented to the Declaration herein being made, and is willing to subordinate the lien of said mortgage, to the covenants, agreements and restrictions in this Declaration and therefore, join in the execution of same for this purpose.

NOW, THEREFORE, WITNESSETH, that Glock, Inc., for itself, its successors and assigns, in consideration of the mutual benefits to be derived and other good and valuable considerations, do hereby impose on all those lots of ground shown on the aforementioned Plats, the following covenants, agreements and restrictions, said covenants, agreements, and restrictions to be binding upon the said Glock, Inc., its successors and assigns, and to run with said land.

1. The land included in the subdivision known as Bentley Estates shall be used for private residential use only, except that a doctor or similar individual may operate an office in part of his residence, any sign for said office being no larger than 12" x 18". The dwelling shall be designed for single family occupancy only, unless otherwise approved by Glock, Inc., its successors or assigns. The dwelling house erected thereon shall contain a minimum living floor area as follows:

Rancher	1150 sq. ft. area	must have attached garage or carport
Bi-Level Rancher	1200 sq. ft. area	no garage or carport required
Two-Story	700 sq. ft. area	must have attached garage or carport

In determining the size of any home, the outside wall dimensions shall be used to compute the square foot area. Single family occupancy shall not be construed to prevent the erection of a dwelling with an attached apartment or living area for use by member of the owner's family. Private residential purposes shall not be interpreted to prohibit the use on any lot of a private roadway for the benefit of adjacent or adjoining lots.

2. Plans and exterior color schemes for any building to be erected on this property must be approved by the Glock, Inc. or by a neighborhood improvement association to which this power may be delegated. Approval of such plans shall not be unreasonably withheld and completion of any building shall constitute compliance herewith. Stucco or parged foundations shall not be visible above the finish grade on the front of any house. Prefabricated metal chimneys will be allowed upon written consent of Glock, Inc.

3. Any dwelling constructed on said lot shall be completed in every exterior detail within six months from the date of beginning of such construction. No temporary structures, trailer, mobile home, tent, garage, or other outbuildings shall be placed on said parcel of land to be occupied as a dwelling.

4. Any garage, stable, garden house, fence, or other structure of any kind which is erected on this lot must be approved by the Glock, Inc., its successors and assigns. Said structures must not be constructed prior to the dwelling house.

5. Only one dwelling shall be erected on each lot.

6. No pigs, poultry, or goats shall be kept on said lots except that a maximum of two dogs and two cats are permitted, provided that they are enclosed on the property of the owner thereof. Horses and ponies are permitted on lots having a minimum size of 1-3/4 acres, provided they are properly housed and fenced.

7. No truck larger than two-ton capacity shall be parked on any lot. Only one truck of two-ton capacity or less shall be parked on any lot.

8. No outdoor storage of any materials or the repair or dismantling of automotive vehicles or other types of equipment shall be permitted.

9. A boat or travel trailer of any type shall be kept to the rear of the residence.

10. Glock, Inc. reserves the right to relocate lot lines affecting land owned by Glock, Inc. Glock, Inc. further reserves the right to waive such portion of the restrictive covenants placed on this property as it deems necessary in the best interest of the development, as determined by its judgement.

11. Invalidation of any of these covenants by judgement, decree, or Court Order shall in no way affect any of the other provisions, which shall remain in full force and effect.

12. The provisions herein contained shall run with and bind the land hereby conveyed for a period of 20 years and shall inure to the benefit of, and be enforceable by the Glock, Inc., its successors and assigns. Failure by the parties hereto to enforce any of the restrictions, covenants, and conditions herein contained, shall in no event be deemed a waiver of the right to do so thereafter as to the same breach, or as to one occurring prior or subsequent thereto.

AS WITNESS the corporate seal of Glock, Inc. and the signature of Charles E. Glock, the President thereof; and

WITNESSETH, also, the signature of Frank R. Elsnic, President of Northeastern Bohemian Savings and Loan Association, Inc., and the corporate seal of said corporation affixed hereto.

Test:

Patricia A. Finlayson  
Patricia A. Finlayson

GLOCK, INC.

BY: Charles E. Glock (SEAL)  
Charles E. Glock, President

NORTHEASTERN BOHEMIAN SAVINGS  
AND LOAN ASSOCIATION, INC.

BY: Frank R. Elsnic (SEAL)  
Frank R. Elsnic, President

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 23rd day of January, 1974, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Charles E. Glock, President of Glock, Inc., and Frank R. Elsnic, President of Northeastern Bohemian Savings and Loan Association, Inc., the Declarors in the above Declaration, and they acknowledged the foregoing Declaration to be their act.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

Patricia A. Finlayson Notary Public

NOTARY PUBLIC  
JAN 23 1974  
Patricia A. Finlayson, Jr., Clerk  
444 N. Broadway  
Baltimore, Md. 21201  
444 N. Broadway  
Baltimore, Md. 21201  
444 N. Broadway  
Baltimore, Md. 21201  
444 N. Broadway  
Baltimore, Md. 21201

8/15/95  
TO AS  
P

Department of Permits & Development Management  
111 West Chesapeake Ave.  
Towson, Maryland 21204  
Case #96-18-A

Dear Zoning Commissioner,

As homeowners and primary residents of 242 Bentley Road we wish to state our definitive objections to the approval/variance request in case #96-18-A at 223 Bentley Road. This construction is 3/4 complete ! No permit/variance for the structure was given prior to the initiation of the construction. Our home and that at 223 is within the Bentley Estates which according to our deed falls under the covenants of Glock, Inc, dated August 31, 1973. It is our understanding that there are restrictions that must be abided by under these covenants in addition to the County process which was not abided by prior to construction. The covenants I refer to are enclosed.

If such construction is being utilized for business purposes it is in violation of the residential zoning area residents assume we are under. If it is to be used for gunsmithing purposes we have grave concerns for its potential impact in a neighbor area with multiple children, narrow streets and private homes. The potential hazards would be numerous, for the equipment and supplies it might contain.

We appreciate your attention to this matter and trust that the variance will not be granted secondary to the multiple issues identified above. I look forward to your expedient reply once the formal hearing has taken place.

Sincerely,

*Linda Hutchinson-Troyer*

✓ Linda Hutchinson-Troyer

*Walter L. Troyer*

✓ Walter L. Troyer

RECEIVED

AUG 14 1995

ZADM

MICROFILMED

✓✓ THIS DECLARATION, Made this 2nd day of January, 1974, by  
GLOCK, INC.

WHEREAS, Glock, Inc. is the owner of a tract of land containing approximately 150 acres by virtue of a deed dated August 31, 1973 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5396, folio 878 from Elsie M. Hersey.

WHEREAS, the said Glock, Inc. has caused said land to be subdivided into lots by the recording of three subdivision plats entitled as follows: Section I, Bentley Estates, said Plat being recorded in Plat Book E.H.K.Jr. No. 37, folio 13; Section II, Bentley Estates, said Plat being recorded in Plat Book E.H.K.Jr. No. 37, folio 14; Section III, Bentley Estates, said Plat being recorded in Plat Book E.H.K. Jr. No. 37, folio 15.

WHEREAS, Glock, Inc. executed and delivered unto Northeastern Bohemian Savings and Loan Association, Inc. a mortgage on the aforementioned tract of land, said mortgage being dated August 31, 1973 and recorded among the aforesaid Land Records in Liber E.H.K.Jr. No. 5396, folio 881.

WHEREAS, Northeastern Bohemian Savings and Loan Association, Inc. has consented to the Declaration herein being made, and is willing to subordinate the lien of said mortgage, to the covenants, agreements and restrictions in this Declaration and therefore, join in the execution of same for this purpose.

NOW, THEREFORE, WITNESSETH, that Glock, Inc., for itself, its successors and assigns, in consideration of the mutual benefits to be derived and other good and valuable considerations, do hereby impose on all those lots of ground shown on the aforementioned Plats, the following covenants, agreements and restrictions, said covenants, agreements, and restrictions to be binding upon the said Glock, Inc., its successors and assigns, and to run with said land.



9. A boat or travel trailer of any type shall be kept to the rear of the residence.

10. Glock, Inc. reserves the right to relocate lot lines affecting land owned by Glock, Inc. Glock, Inc. further reserves the right to waive such portion of the restrictive covenants placed on this property as it deems necessary in the best interest of the development, as determined by its judgement.

11. Invalidation of any of these covenants by judgement, decree, or Court Order shall in no way affect any of the other provisions, which shall remain in full force and effect.

12. The provisions herein contained shall run with and bind the land hereby conveyed for a period of 20 years and shall inure to the benefit of, and be enforceable by the Glock, Inc., its successors and assigns. Failure by the parties hereto to enforce any of the restrictions, covenants, and conditions herein contained, shall in no event be deemed a waiver of the right to do so thereafter as to the same breach, or as to one occurring prior or subsequent thereto.

AS WITNESS the corporate seal of Glock, Inc. and the signature of Charles E. Glock, the President thereof; and

WITNESSETH, also, the signature of Frank R. Elsnic, President of Northeastern Bohemian Savings and Loan Association, Inc., and the corporate seal of said corporation affixed hereto.

Test:

GLOCK, INC.

BY: Charles E. Glock (SEAL)  
Charles E. Glock, President

NORTHEASTERN BOHEMIAN SAVINGS  
AND LOAN ASSOCIATION, INC.

BY: Frank R. Elsnic (SEAL)  
Frank R. Elsnic, President

Patricia A. Finlayson  
Patricia A. Finlayson

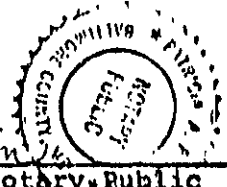
Patricia A. Finlayson  
Patricia A. Finlayson

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 2nd day of January, 1974, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Charles E. Glock, President of Glock, Inc., and Frank R. Elsnic, President of Northeastern Bohemian Savings and Loan Association, Inc., the Declarors in the above Declaration, and they acknowledged the foregoing Declaration to be their act.

AS WITNESS my hand and Notarial Seal.

Patricia A. Finlayson  
Patricia A. Finlayson Notary Public



Rec'd & for record JAN 23 1974 at 2:17  
PSE Elizabeth H. Mahline, Jr., Clerk  
Mail to Elizabeth Mahline, Jr., Clerk  
Resident

8/15  
JTB

Robert M. Vogel  
Gail Vogel  
208 Bentley Road  
Parkton, MD 21120

August 10, 1995

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204

RE: CASE #96-18-A

Gentlemen:

It has come to our attention that the owner of 223 Bentley Road is applying for a zoning change in order to construct a storage building. As a property owner, 208 Bentley Road, I fear this will do nothing but lower the property value, and deter from the appearance of our neighborhood.

It has also been brought to our attention that the owner is a gunsmith. What would stop the owner from storing guns, ammunition or other items. As the parents of 3 children, I feel this could be detrimental to the safety of not only my children but the neighborhood as a whole.

I strongly oppose the permit of this building.

Sincerely,

*Gail L. Vogel*  
Gail L. Vogel

RECEIVED

AUG 11 1995

ZADM

3748-95-  
216

8/9/95  
8  
to file

August 7, 1995

Department of Permits and Development Management  
111 West Chesapeake Ave.  
Towson, Maryland 21204

RE: Case # 96-18-A  
223 Bentley Road, Parkton, Maryland

Dear Sir or Madame,

In 1992 we purchased the residence located at 11 Bentley Road, Parkton, Maryland. We also recently purchased a 1.8 acre vacant lot located in the one hundred block of Bentley Road for future residential use. We have invested our life savings into these two properties, and it is our desire that the Bentley Road area of Parkton remain a residential area.

Any zoning change which would allow a storage building larger than the residence to be constructed in this residential area, in our opinion, would hurt the residential character of the neighborhood. Literature circulated in the neighborhood alleges that the property owner is a gunsmith and the storage building "may or could" be utilized for the storage of guns, ammunition and gunmaking equipment. If this is accurate, such a use would target crime to the area and be a danger to the community.

Sincerely,

*William S. Sewell*

William S. Sewell

*Lynette P. Sewell*

Lynette P. Sewell

RECEIVED

RECEIVED

AUG 9 1995

ZADM

3806-95

8/11/95  
ag  
to file

✓235 Bentley Road  
Parkton, Maryland 21120  
August 9, 1995

Department of Permits and Development  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Reference: Case #96-18-A

We are against a change of zoning for 223 Bentley Road Parkton, Md. 21120  
for a storage building larger than the original dwelling.

The building would not only detract from the appearance but is feared it could  
also affect the safety of our neighborhood. The owner of 223 Bentley Road is a  
gunsmith and it is feared that this storage building could be utilized to store  
guns, ammunition, gun making equipment and therefore be a target for crime.

Sincerely,  
*Dolores E. Geis*  
Dolores E. Geis  
*Frank W. Geis*  
Frank W. Geis

RECEIVED

MICROFILMED

AUG 10 1995

ZADM

8/15/95

TO 68

Dept. of Permits and Development Mgmt.  
111 W. Chesapeake Avenue  
Towson, MD 21204

August 11, 1995

Dear Sirs;

We are writing in regards to the request for a zoning variance at, 223 Bentley Road in Parkton. The case no. involved is 96-18-A. Our concern is related to the size and nature of the building already under construction. The building appears to be a commercial size. We believe that a hearing would be very beneficial in this case, so that our concerns can be explored.

RECEIVED

AUG 14 1995

ZADIA

Sincerely,  
Brian L. Behounek  
Barbara Behounek

MR. & MRS. BRIAN L. BEHOUNEK  
229 BENTLEY ROAD  
PARKTON, MD 21120

8/11/95  
TO GS

Parkton, Md.

August 11, 1995

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Joussan, Md. 21204

Dear Sir:

It has come to my attention that a neighbor at 223 Bentley Road has constructed a building on this property for storage. He now has to have this property rezoned. Since he is a gunsmith and his neighbors feel he might store guns and ammunition and other gunmaking equipment. This could prove to be a target for crime.

We have a nice clean, <sup>safe</sup> neighborhood and we would like to keep it that way.

Thank you for listening to my complaints and please give them careful consideration in your decision not to rezone this property.

Yours truly,  
Walter & Myrtle Settle

Case # 96-18-A

RECEIVED

AUG 14 1995

ZADM

8/15/95  
TO FS

NS

August 11, 1995

Dept of Permits & Development Management.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

RE: Case #96-18-A

We have been advised that a zoning change is being sought in our neighborhood at 223 Bentley Rd which entails construction of a storage building which is greater than that of the original dwelling. Additionally, this building may be used to store guns, ammunitions and gunmaking equipment adding a safety issue to this request.

We are opposed to this zoning change request as such a building would not be in character with our serene neighborhood where homes are distinctive, beautiful and of high value. We ask that this request be denied.

Sincerely

Charles T. and Joan C. Carroll  
109 Bentley Rd.  
Parkton, Md. 21122

RECEIVED

AUG 14 1995

ZADM

MICROFILMED

8/9/95

J. J. J.

I am writing to you regarding Case # 96-18-A. I am very concerned about the building which is being constructed on 223 Bentley Road. It has been brought to my attention that the building may be used for storing guns + gunmaking equipment. My husband + I moved to Bentley Road 3½ yrs ago because of the safety, peace + beauty that this community projects. We now have a 2yr old daughter and are concerned for her safety should this situation be allowed to occur. There is no reason why this type of activity should be able to take place in our neighborhood. Not only will it deter from the appearance of our neighborhood but ~~possibly~~ possibly lead to ↑ crime. Please - when making your decision regarding this zoning issue - I would greatly appreciate your consideration of these stated concerns.

Sincerely, M. H. Baker

MICROFILMED



AUGUST 9, 1995

3807-95-

8/11/95

JOSEPH A. NAWROCKI  
115 BENTLEY RD.  
PARKTON, MD. 21120

Department of Permits and Development Management  
111 West Chesapeake Ave.  
Towson, Md. 21204

RE: CASE #96-18-A

Dear Commissioner:

This letter is in reference to Case #96-18-A. This case is a request for a zoning change by the owner of 223 Bentley Road which would allow the owner to build a storage building which would be larger than the original dwelling.

When I purchased my home in Bentley Estates 19 years ago, the developer, Glock Inc., furnished me with the covenants and restrictions for this development that would prohibit such a large storage building to be erected in Bentley Estates.

I strongly object to a zoning change that would allow two large buildings on one lot in this residential neighborhood. If this zoning change is granted, it may set a precedent for similar future requests which I am sure most of the neighbors would not want.

RECEIVED

AUG 10 1995

ZADM

Sincerely Yours,  
Joseph A. Nawrocki

8/8/95  
CJ

3739-95  
WCK

8-7-95

✓ Mark Herwig  
239 Bentley Rd  
Parkton, MD 21120

Department of Permits And Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Case #96-18-A  
223 Bentley Road

Dear Sir :

I object to the change of zoning being requested by the owner of 223 Bentley Road. The setback VARIANCE And the size of the storage building being requested are not appropriate for the neighborhood.

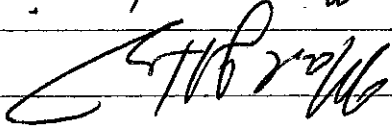
The current zoning requirements have a very important purpose in maintaining the stability of a neighborhood. As setback laws and maximum sizes of outbuildings are removed, there is the very real potential of chaotic development, which decreases the property values.

As a current resident of Bentley Estates, I strongly object to any development that requires a VARIANCE to existing zoning

Microfilm

laws.  
Thank you for listening to my concerns  
And I trust you will make the right  
decision for the neighborhood.

Sincerely,

  
Mark J. Herwig

RECEIVED  
AUG 8 1995

ZADM

8 August 1995

115 Bentley Rd.  
Parkton, Md. 21204  
3796-95-

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

8/11/95  
JP  
PB  
file

To Whom It May Concern:

This letter is in reference to Case # 96-18-A whereas the owner of 223 Bentley Rd., Parkton - is seeking a change in zoning for construction of a large building for storage. One could wonder what a large building like this would be used for in a residential area. It is very understanding that this building would be larger than the original dwelling, if this is the case I feel the zoning change should not be approved because this would be like permitting 2 homes to be built on one property.

I like other people in this area have built or purchased homes because of it being zoned residential. Once there is one "change of zoning" more will be sought and the value of our properties will decline greatly.

Please consider the rights and wishes of the already residents - some of 20 years or more - and leave our area as it has been. There are too many areas being changed - most cases not for the good of the community. When our house was built we thought it really great to have a "Covenants and Restrictions" from Mr. Charles Block the developer of Bentley Estates. It was one reason for living in this area. Now with changes in zoning all this could change.

UNRECORDED

Respectfully  
Mrs. Betty Nawrocki

RECEIVED

AUG 10 1995

ZADM

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

MICHAEL MARINO

SAMAS MCKINLEY

FRANK LEE

Jerry Phillips

609 Bosley Ave Towson MD 21204

7633 South Bend Rd 21222

1277 NEIGHBORS AVE 21237

223 Bentley Parkton Md 21120



10-1-2009

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME *Marcher*  
*John Marcher*  
*JOSEPH A. NAWROCKI*

ADDRESS  
*100 Bentley Rd. Parkton*  
*115 BENTLEY RD-PARKTON 21120*

507-444-2222

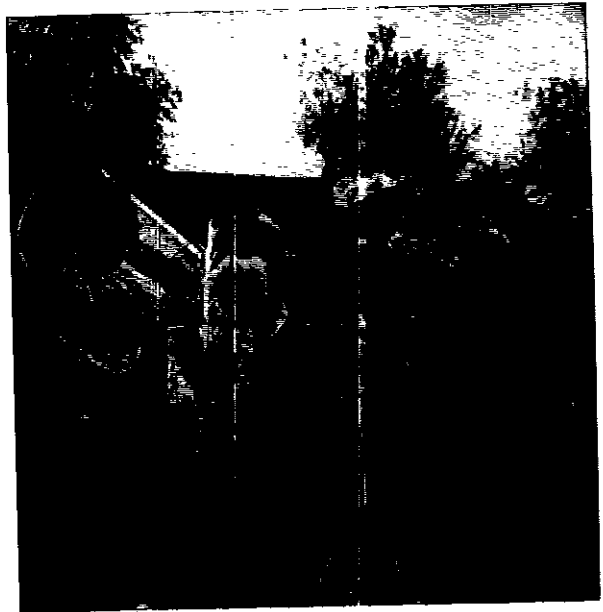
Petitioner's  
Exhibits 2A-D  
3A-3E &  
4A & 4B  
photographs  
96-18-A

MICROFILMED

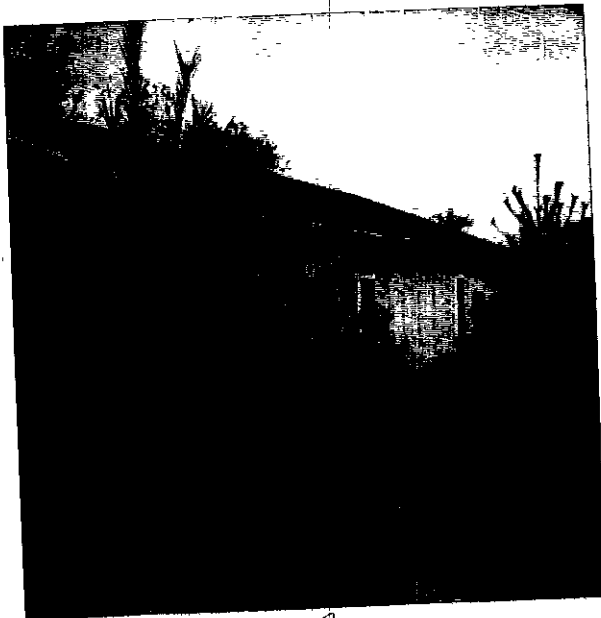




Pet 2A



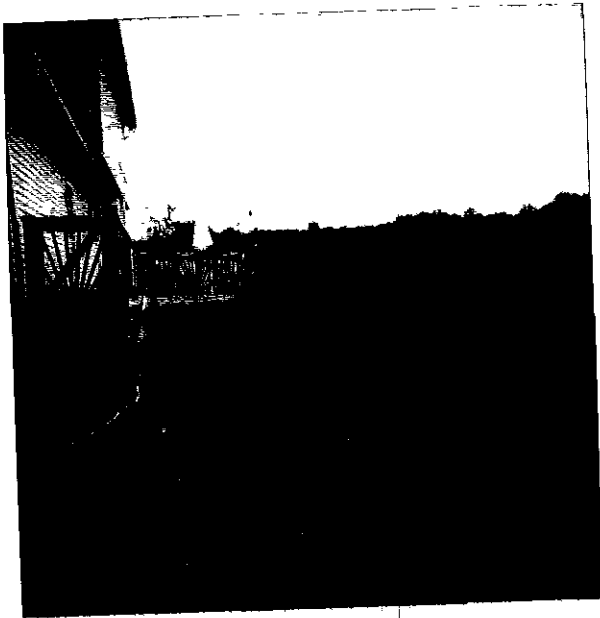
Pet 2B



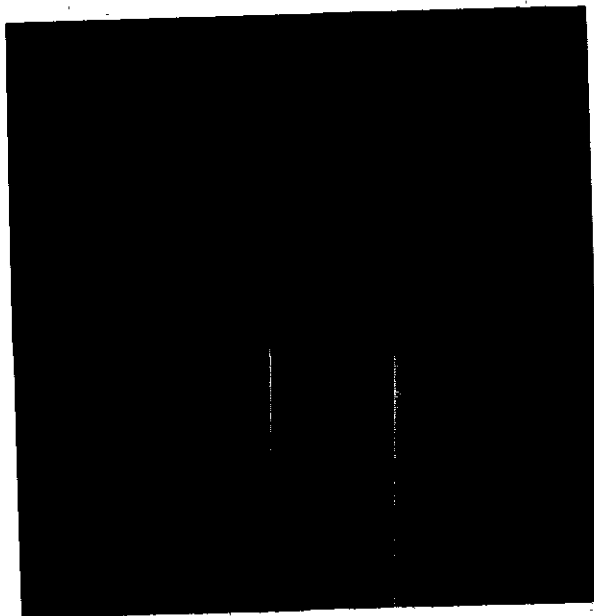
Pet 2C



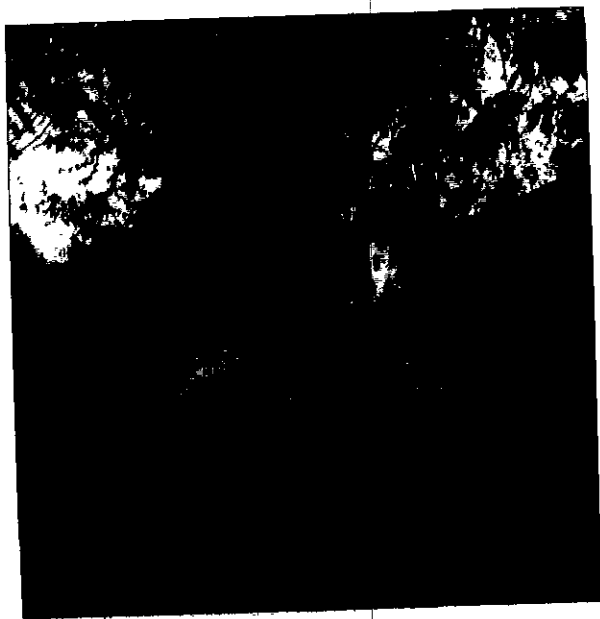
Pet 2D



Ret 3S



Ret 3C



Ret 3D



Ret 3E

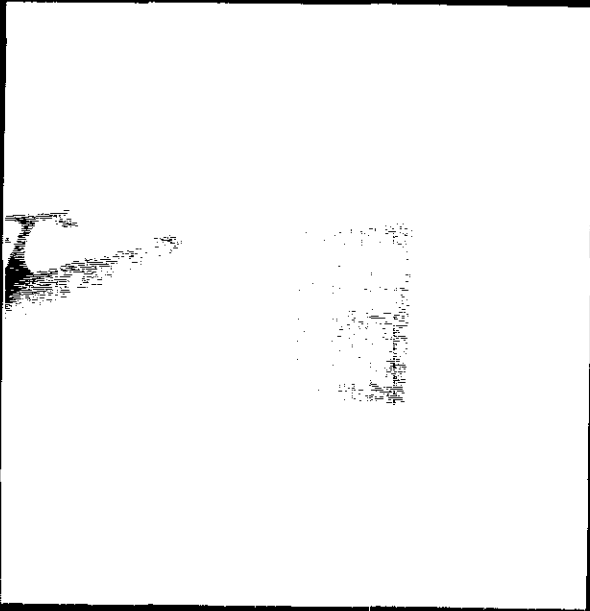


Ref 4A

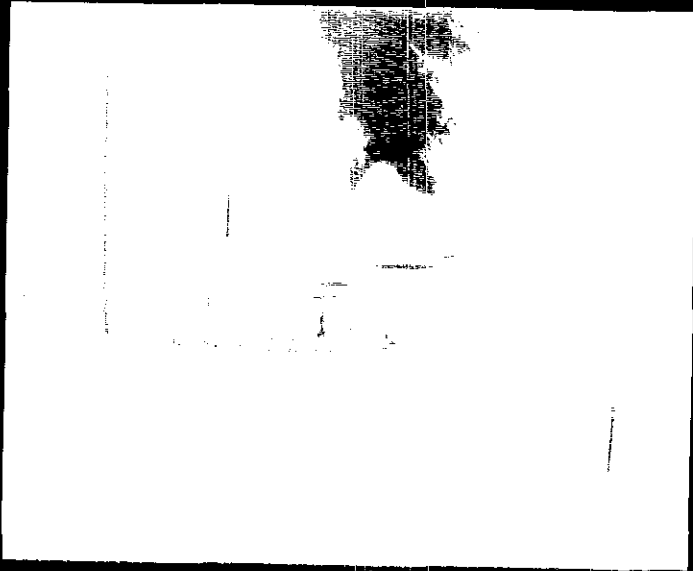


Ref 4B

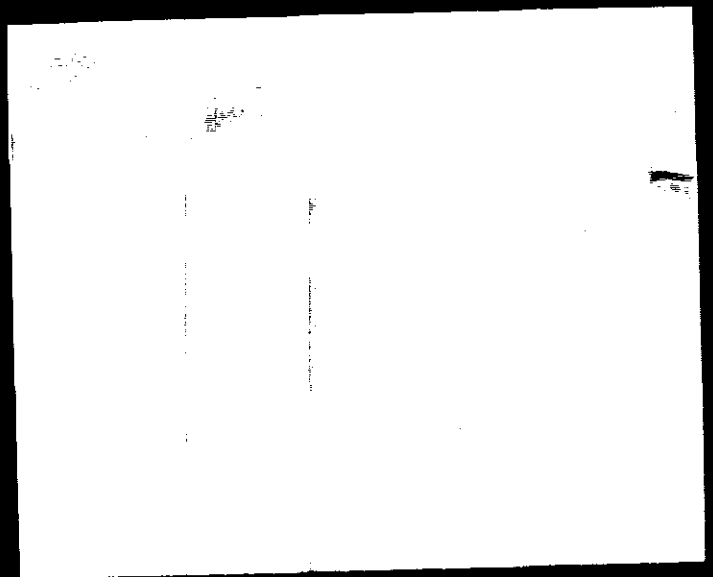
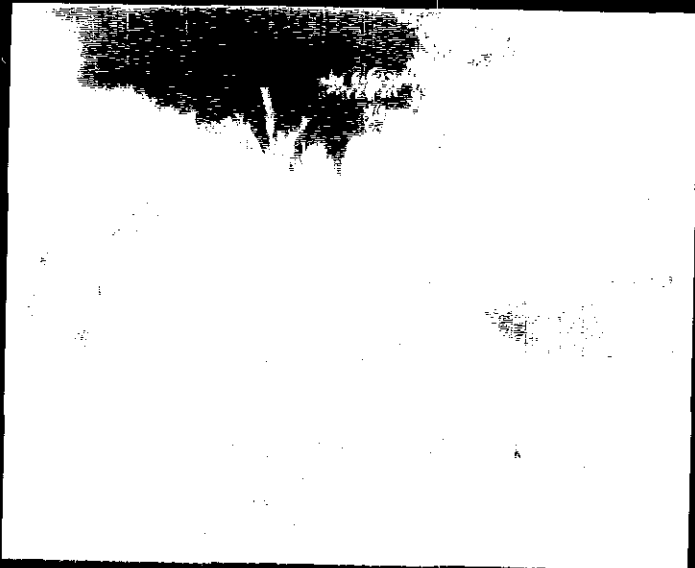
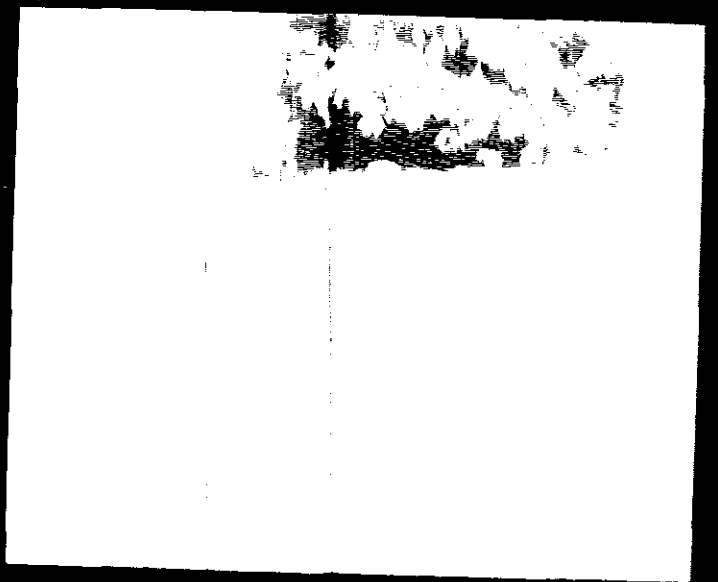
96-18-A



96-18



#24



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

96-18-17

District 208 Date of Posting 9/1/95

Posted for: Various

Petitioner: Jerry Phillips

Location of property: 223 Ben Hey Rd, SE/5

Location of Signs: Facing road & way on property being zoned  
Posted at beginning of driveway leading to property

Remarks: \_\_\_\_\_

Posted by M. H. H. H. Date of return: 9/8/95  
Signature

Number of Signs: 1



RECEIVED

1. The land included in the subdivision known as Bentley Estates shall be used for private residential use only, except that a doctor or similar individual may operate an office in part of his residence, any sign for said office being no larger than 12" x 18". The dwelling shall be designed for single family occupancy only, unless otherwise approved by Glock, Inc., its successors or assigns. The dwelling house erected thereon shall contain a minimum living floor area as follows:

Rancher	1150 sq. ft. area	must have attached garage or carport
Bi-Level Rancher	1200 sq. ft. area	no garage or carport required
Two-Story	700 sq. ft. area	must have attached garage or carport

In determining the size of any home, the outside wall dimensions shall be used to compute the square foot area. Single family occupancy shall not be construed to prevent the erection of a dwelling with an attached apartment or living area for use by member of the owner's family. Private residential purposes shall not be interpreted to prohibit the use on any lot of a private roadway for the benefit of adjacent or adjoining lots.

2. Plans and exterior color schemes for any building to be erected on this property must be approved by the Glock, Inc. or by a neighborhood improvement association to which this power may be delegated. Approval of such plans shall not be unreasonably withheld and completion of any building shall constitute compliance herewith. Stucco or parged foundations shall not be visible above the finish grade on the front of any house. Prefabricated metal chimneys will be allowed upon written consent of Glock, Inc.

3. Any dwelling constructed on said lot shall be completed in every exterior detail within six months from the date of beginning of such construction. No temporary structures, trailer, mobile home, tent, garage, or other outbuildings shall be placed on said parcel of land to be occupied as a dwelling.

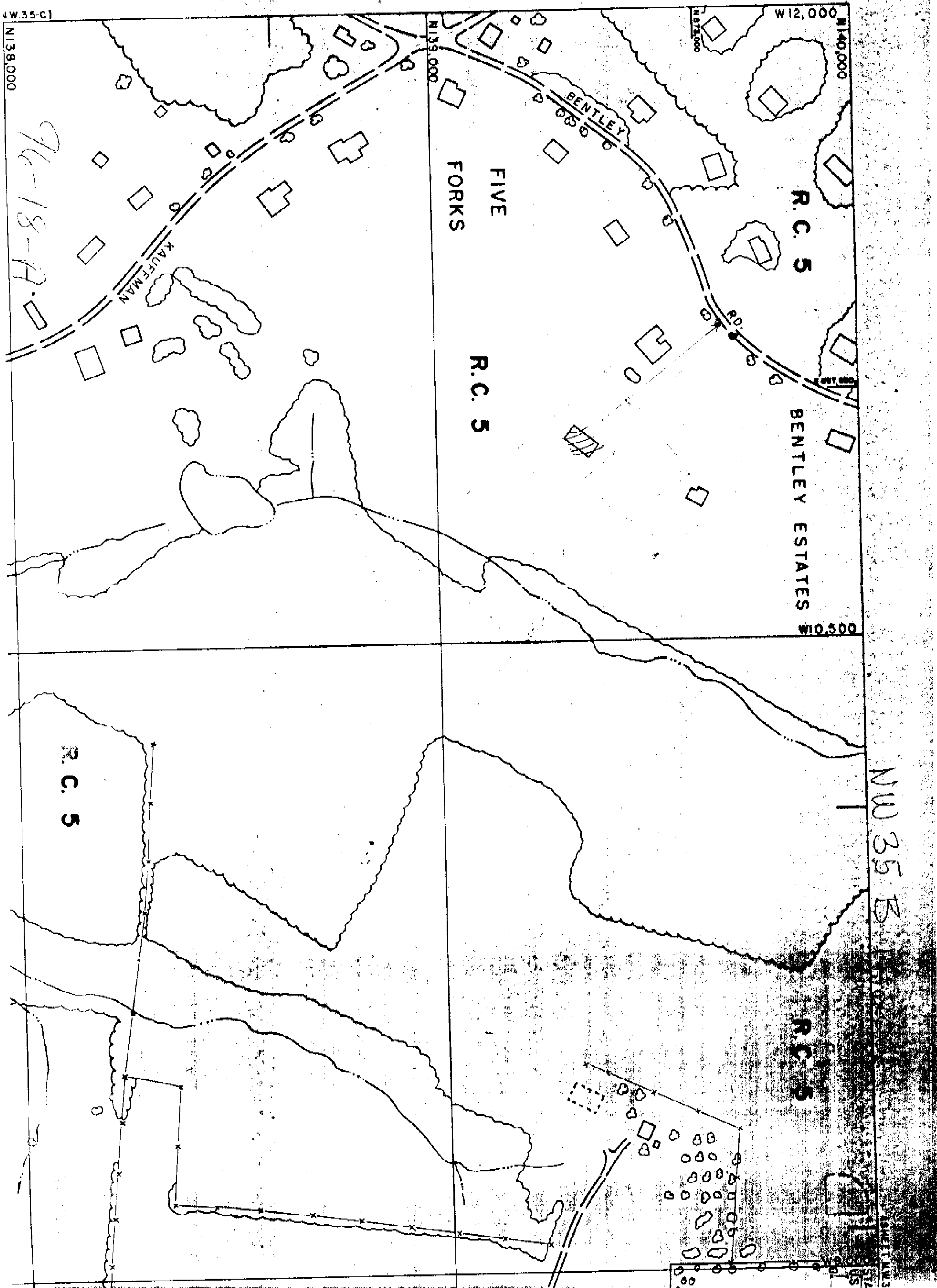
4. Any garage, stable, garden house, fence, or other structure of any kind which is erected on this lot must be approved by the Glock, Inc., its successors and assigns. Said structures must not be constructed prior to the dwelling house.

5. Only one dwelling shall be erected on each lot.

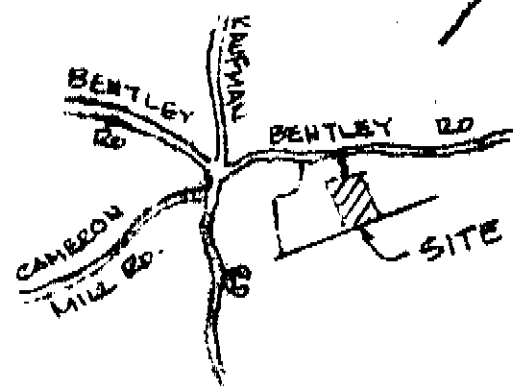
6. No pigs, poultry, or goats shall be kept on said lots except that a maximum of two dogs and two cats are permitted, provided that they are enclosed on the property of the owner thereof. Horses and ponies are permitted on lots having a minimum size of 1-3/4 acres, provided they are properly housed and fenced.

7. No truck larger than two-ton capacity shall be parked on any lot. Only one truck of two-ton capacity or less shall be parked on any lot.

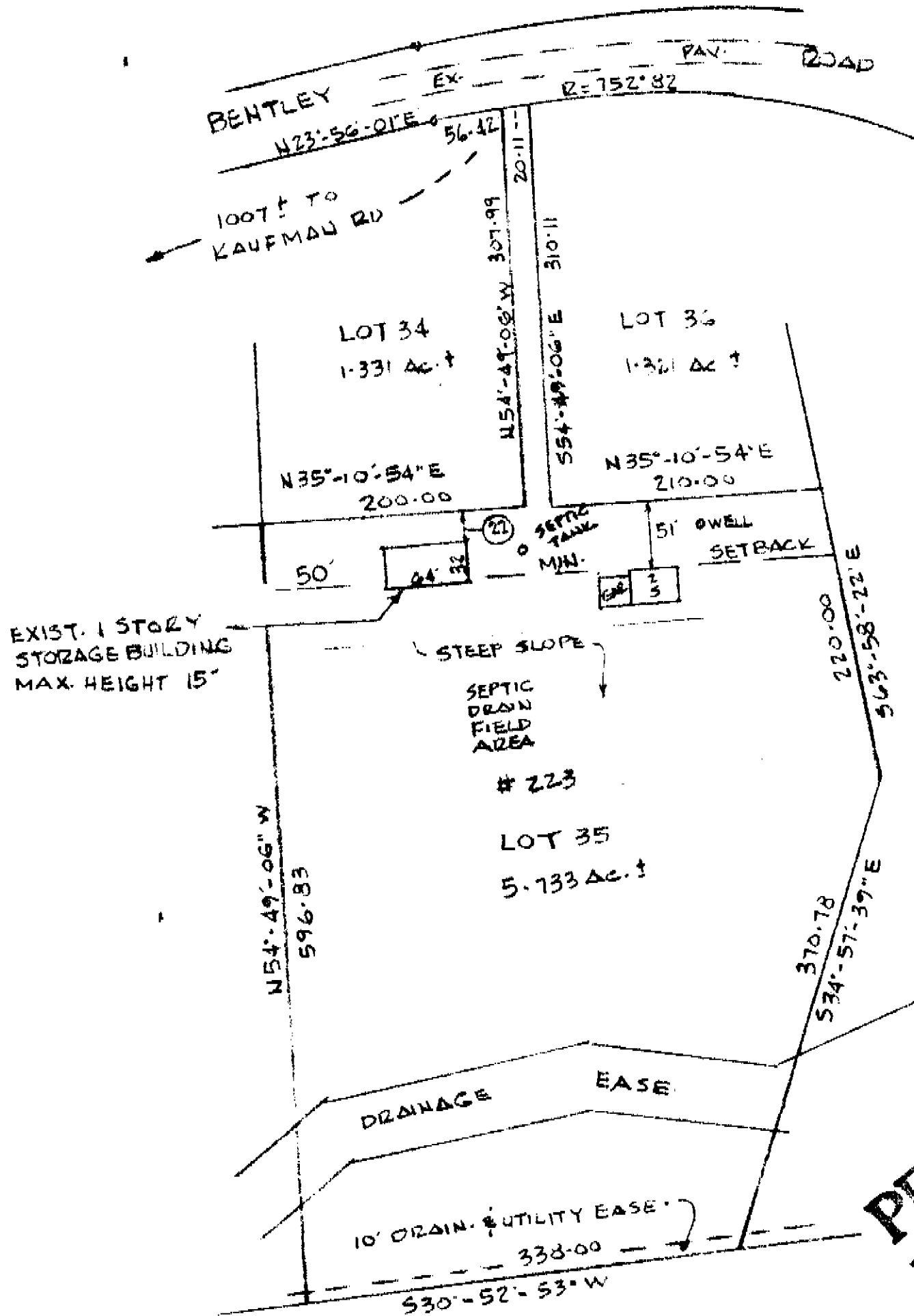
8. No outdoor storage of any materials or the repair or dismantling of automotive vehicles or other types of equipment shall be permitted.



96-18-A



LOCATION MAP  
SCALE 1" = 2000'



OWNER  
JERRY PHILLIPS  
223 BENTLEY RD.  
PARKTON, MD. 21120  
(410) 351-8405

**PETITIONER'S  
EXHIBIT No 1**

EXISTING ZONING - RC 5  
LOT SERVICED WITH PRIVATE WATER & SEWER  
COUNCILMATIC DIST. 6

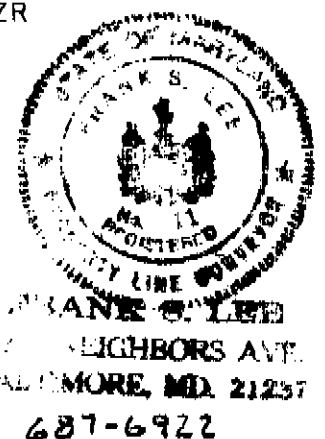
To permit a setback of 22 feet in lieu of the required 50 feet.  
400.1- to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard, and to exceed the size of the dwelling as limited in Section 101 MCZR definition of occupancy use or structure.

24

PLAT FOR ZONING VARIANCES  
LOT 35 SECTION 3  
BENTLEY ESTATES  
PLAT BOOK 37-15

7TH DISTRICT BALTIMORE CO. MARYLAND  
SCALE 1" = 100' DATE 6-12-95

MICROFILMED



PLANE C. LEE  
12 NEIGHBORS AVE.  
BALTIMORE, MD 21237  
687-6922





BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±  
DATE OF PHOTOGRAPHY JANUARY 1966  
LOCATION FIVE FORKS  
SHEET N W 35-B

MICROFILMED

96-18-A



IN RE: PETITION FOR ADMIN. VARIANCE  
SE/5 Bentley Road, 1007' NE  
of Kaufman Road  
(223 Bentley Road)  
7th Election District  
6th Councilmanic District  
Jerry Phillips  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-18-A

\* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 223 Bentley Road, located in the vicinity of Kaufman Road in Parkton. The Petition was filed by the owner of the property, Jerry Phillips. Specifically, relief is sought from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (64' x 32' storage building), to be located in the front and side yards in lieu of the required rear yard placement, and to exceed the size of the dwelling, pursuant to the definition found in Section 101 of the B.C.Z.R. of occupancy, use, or structure. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

As noted above, the Petition was filed through the administrative variance process. However, as a result of numerous letters received from surrounding property owners opposing the relief sought, the matter was scheduled for a public hearing to determine the appropriateness of the relief requested.

Appearing at the hearing held in this matter were Jerry Phillips, property owner, James McKinney, Zoning Consultant, Frank Lee, Registered Property Line Surveyor, and Michael Marino, Esquire, attorney for the

Petitioner. Appearing as Protestants in the matter were Pete Marcher and Joseph Nawrocki, nearby residents of Bentley Road.

Testimony and evidence offered revealed that the subject property consists of a gross area of 5.733 acres, more or less, zoned R.C. 5 and is improved with a two-story dwelling and attached garage, and a detached one-story building, 64' x 32' in dimension, which is the subject of this request. The property is also known as Lot 35 of Bentley Estates, and is accessed by way of a long driveway which runs between Lots 34 and 36 from Bentley Road. Mr. Phillips testified that he has resided in the area all of his life. He recently purchased the subject property after having resided on the site for many years. He characterized the topography of the site and noted that the front portion of his lot is flat and that a steep slope falls away behind the dwelling, limiting potential construction in the rear of the property. Moreover, he observed the placement of the septic drain field towards the rear of the property. Mr. Phillips recently commenced construction of the subject building on the site. As noted above, the building is a single story structure, 64 feet wide and 32 feet deep, and is proposed to be utilized for storage purposes. Mr. Phillips testified the items to be stored therein would be limited to materials incidental to the upkeep and maintenance of the subject property and denied that this structure would be used for any commercial or business purposes, nor would same be converted for dwelling uses.

Mr. Frank Lee testified on behalf of the Petitioner and corroborated Mr. Phillip's testimony relating to the site layout and topographical conditions of the property. Mr. Lee testified that the proposed building was consistent with other uses in this area. As to the uniqueness of the site, Mr. Lee observed the steep slopes and the placement of the septic

system which severely limits the buildable area on this lot. He also produced photographs of the property which depict the garage and landscaping nearby.

The Protestants who appeared were largely concerned about the proposed use of this structure. They note that Mr. Phillips is in business for himself and are concerned that the building will be used for commercial purposes. As was made clear at the hearing, the subject building is accessory in nature and will only be utilized to store those items incidental to the maintenance and enjoyment of the subject property.

Variances must be considered in accordance with the provisions of Section 307.1 of the B.C.Z.R. and the case law. In order for relief to be granted, the Petitioner must show that a practical difficulty would result if strict adherence to the regulations were required. In the recent case of Crowell v. Ward, 102 Md. App. 691 (1995), the Court observed that the B.C.Z.R. requires that the property bear some unique characteristic in support of the variance relief. In this case, the uniqueness of the site is obvious; namely, the steep slope immediately to the rear of the existing dwelling. This condition clearly presents the property owner with a practical difficulty and limits the area of building. The Petitioner must also demonstrate that variance relief is appropriate and within the spirit and intent of the zoning regulations. It must also be shown that a granting of the relief requested will not be detrimental to the area. Properly restricted, I believe that the Petitioner has met his burden in this regard. This is a large lot which can easily support the subject building. Moreover, it is properly buffered and landscaped from surrounding properties. However, certain conditions should be attached to the granting of the relief requested in order to insure that no adverse impact results to

the surrounding community. These restrictions attach not only to the Petitioner in this case, but shall run with the land and the variance relief granted for this property. Specifically, I will prohibit any commercial/business activity on the subject property nor can the building be utilized for dwelling purposes. In order to insure compliance with these restrictions, a representative of the Zoning Enforcement Division shall be permitted access to the property on a reasonable basis.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of September, 1995 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (64' x 32' storage building), to be located in the front and side yards in lieu of the required rear yard placement, and to exceed the size of the dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. This storage building shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) The use of the subject building is limited to the storage of materials incidental to the upkeep and maintenance of the subject property. There shall be no business or commercial use of the subject structure.

ORDER RECEIVED FOR FILING  
Date 9/22/95  
By Jep

ORDER RECEIVED FOR FILING  
Date 9/22/95  
By Jep

ORDER RECEIVED FOR FILING  
Date 9/22/95  
By Jep

ORDER RECEIVED FOR FILING  
Date 9/22/95  
By Jep

4) Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Lawrence E. Schmidt  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

#### Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

September 22, 1995

(410) 887-4386

Mr. Jerry Phillips  
223 Bentley Road  
Parkton, Maryland 21120

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
SE/5 Bentley Road, 1007' NE of Kaufman Road  
(223 Bentley Road)  
7th Election District - 6th Councilmanic District  
Jerry Phillips - Petitioner  
Case No. 96-18-A

Dear Mr. Phillips:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

Lawrence E. Schmidt  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Pete Marcher  
100 Bentley Road, Parkton, Md. 21120

Mr. Joseph A. Nawrocki  
115 Bentley Road, Parkton, Md. 21120

Mr. Clyde Heintzelman, President, Chalet de La Rance Comm. Assoc.  
6 Edelweiss Way, Parkton, Md. 21120

People's Counsel; Case file



#### Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 223 Bentley Rd., Parkton, MD. 21120

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard, and to exceed the size of the dwelling as limited in section 101 B.C.Z.R. definition of occupancy use or structure, and to exceed the size of the dwelling as limited in section 101 B.C.Z.R. definition of occupancy use or structure, and to exceed the size of the dwelling as limited in section 101 B.C.Z.R. definition of occupancy use or structure, and to exceed the size of the dwelling as limited in section 101 B.C.Z.R. definition of occupancy use or structure. Do to the severe slope of the land this is the only suitable site available. See photos.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zip Code

(Type or Print Name)

Signature

Address

City State Zip Code

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

Jerry Phillips

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City State Zip Code

Signature

Address

City State Zip Code

Signature

Address

City State Zip Code

ORDER RECEIVED FOR FILING  
Date 9/22/95  
By Jep

REVIEWED BY: DATE: EXAMINED FOR FILING DATE:

Printed with Soybean Ink  
on Recycled Paper

ITEM # 24

#### Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:  
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at: 223 Bentley Rd.

Parkton, MD. 21120

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address, (provide a brief description of the facts):

Do to the topography of the site this is the only possible location suitable for this building.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I, Jerry Phillips, do hereby certify that I am a Notary Public for the State of Maryland, and that I am the County official, personally appeared

I HEREBY CERTIFY, this day of September, 1995, before me, a Notary Public of the State of Maryland, and that the County official, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC: My Commission Expires:

ORDER RECEIVED FOR FILING  
Date 9/22/95  
By Jep

FRANK S. LEE

Registered Land Surveyor

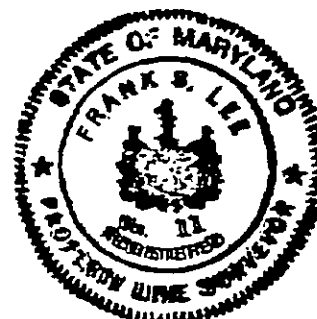
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

June 12, 1995

No. 223 Bentley Road  
7th District Baltimore County, Maryland

Beginning for the same on the southeast side of Bentley Road at the distance of 1007 feet more or less measured northeasterly along the southeast side of Bentley Road from the centerline of Kaufman Road, and being known as Lot 35 as laid out on the plat of Section 3, Bentley Estates and recorded among the land records of Baltimore County in Plat Book 37 Folio 15.

Containing 5.733 acres of land more or less.



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 7th Date of Posting: 9/1/95  
Posted for: Variances  
Petitioner: Jerry Phillips  
Location of property: 223 Bentley Rd, SE/6  
Location of Sign: Along the driveway on property being zoned  
Remarks: Notice of hearing of driveway leading to property  
Posted by: [Signature] Date of return: 9/1/95  
Number of Signs: 1

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 7th Date of Posting: 9/1/95  
Posted for: Variances  
Petitioner: Jerry Phillips  
Location of property: 223 Bentley Rd  
Location of Sign: Along the driveway on property being zoned  
Remarks: Notice of hearing of driveway leading to property  
Posted by: [Signature] Date of return: 9/1/95  
Number of Signs: 1

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-18-A (Item 24)  
223 Bentley Road  
SE/6 Bentley Road, 1007' NE of Kaufman Road  
7th Election District  
7th Councilmanic Legal Owner(s): Jerry Phillips  
Hearing: Monday, September 18, 1995 at 10:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard and to exceed the size of the dwelling.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible for special accommodations. Please call 887-3353.  
(2) For information concerning the file and/or hearing, please call 887-3353.  
8/28 Aug 31

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 9/1, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/31, 1995.

THE JEFFERSONIAN,

A. H. Henickson  
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 9/20/95 ACCOUNT: 000650  
BY: ULL

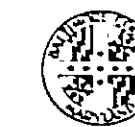
AMOUNT: \$ 85.00

RECEIVED FROM: AIM INC 96-18-A

FOR: RV PLUM CODE 010 (50.00)  
1 SIGN CODE 080 (35.00)

VALIDATION OR SIGNATURE OF CARRIER

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 24  
Petitioner: Jerry Phillips  
Location: Parkton  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: Jerry Phillips  
ADDRESS: 223 Bentley Rd,  
Parkton, MD 21120  
PHONE NUMBER: 357-8405

AJ:ggg

(Revised 04/09/93)

TO: FUTURE PUBLISHING COMPANY  
August 21, 1995 Issue - Jeffersonian

Please forward billing to:

Jerry Phillips  
223 Bentley Road  
Parkton, MD 21120  
357-8405

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-18-A (Item 24)  
223 Bentley Road  
SE/6 Bentley Road, 1007' NE of Kaufman Road  
7th Election District - 7th Councilmanic  
Legal Owner(s): Jerry Phillips  
HEARING: MONDAY, SEPTEMBER 18, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard and to exceed the size of the dwelling.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 25, 1995

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-18-A (Item 24)  
223 Bentley Road  
SE/6 Bentley Road, 1007' NE of Kaufman Road  
7th Election District - 7th Councilmanic  
Legal Owner(s): Jerry Phillips  
HEARING: MONDAY, SEPTEMBER 18, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit an accessory structure to be located in the front and side yards in lieu of the required rear yard and to exceed the size of the dwelling.

Arnold Jablon  
Director

cc: Jerry Phillips/223 Bentley Rd/Parkton MD 21120  
James McKinney/7633 South Bend Rd/Baltimore MD 21222  
Paula A. Sappas/227 Bentley Rd/Parkton MD 21120  
Joseph A. Sawrocki/115 Bentley Rd/Parkton MD 21120  
Julienne and Frank Smith/225 Bentley Rd/Parkton MD 21120  
Clyde A. Reintzelman/6 Edelweiss Way/Parkton MD 21120  
John E. Hayter/232 Bentley Rd/Parkton MD 21120  
Betty Sawrocki/115 Bentley Rd/Parkton MD 21120  
William and Lynette Swell/11 Bentley Rd/Parkton MD 21120  
Mark Herzig/239 Bentley Rd/Parkton MD 21120  
Linda Hutchinsan-Troyer and Walter L. Troyer/242 Bentley Rd/Parkton MD 21120  
Brian and Barbara Dehouck/229 Bentley Rd/Parkton MD 21120  
Robert M. and Gail L. Vogel/208 Bentley Rd/Parkton MD 21120  
Charles T. and Joan C. Carroll/109 Bentley Rd/Parkton MD 21120

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 8, 1995

Mr. Jerry Phillips  
223 Bentley Road  
Parkton, Maryland 21120

RE: Item No.: 24  
Case No.: 96-18-A  
Petitioner: J. Phillips

Dear Mr. Phillips:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 20, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
W. Carl Richards, Jr.  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND

**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Zoning Administration  
and Development Management

DATE: August 2, 1995

FROM: Pat Keller, Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 17, 21, 24, and 25.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey Long  
Division Chief: Carol L. Lewis

PK/JL

ITEM17/PZONE/TEXTWL



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 7, 1995  
Zoning Administration and Development Management  
FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review  
RE: Zoning Advisory Committee Meeting  
for August 7, 1995  
Items 020, 021, 022, 024, 025, 026 and 027

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw

700 East Joppa Road, Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed  
by this Bureau and the comments below are applicable and required to  
be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22,  
23, 24, 25 AND 27.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED  
AUG 1 1995  
ZADM



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kirssoff  
Administrator

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 024 (JUL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to  
approval as it does not access a State roadway and is not affected by any State  
Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 7/31/95

DATE: 7/31/95

The Department of Environmental Protection & Resource Management has no  
comments for the following Zoning Advisory Committee Items:

Item #'s: 17  
18  
24  
25  
26  
27

LS:sp

LETTY2/DEPRM/TXTSP

PETITION PROBLEMS  
AGENDA OF JULY 31, 1995

#18 — JJS/MJK

1. Receipt not given to petitioner; still in folder.

#20 — JRA

1. Folder not marked "critical area".
2. No zoning indicated on petition form.

#23 — CAM

1. Receipt not given to petitioner; still in folder.
2. Folder not marked "critical area".
3. No review information on bottom of petition form.

#24 — JLL

1. Folder says RC-5; petition says RC-4. Which is correct?

#25 — JCM

1. Notary section is incorrect.

#26 — CAM

1. Receipt not given to petitioner; still in folder.
2. No telephone number for legal owner.
3. No review information on bottom of petition.

BALTIMORE COUNTY, MARYLAND  
Inter-Office Memorandum

DATE: July 20, 1995

TO: Hearing Officer

FROM: John L. Lewis  
Planner II, PDM

SUBJECT: item #24  
223 Bentley Road

Applicant to provide 200 scale map copy with site shown and marked  
aerial 200 scale upon availability of map in zoning files. Zoning map missing at time of  
filing.

JLL:scj

John E. Hayter  
232 Bentley Road  
Parkton, Maryland 21120

August 10, 1995

Office of Zoning Administration and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Reference: Case No. 06-18-A  
223 Bentley Road

Dear Sir/Madam:

I am writing to request that the request for a zoning variance for the referenced property be denied.  
The proposed structure is not appropriate to the context of the neighborhood. The Bentley Estates  
subdivision is a residential neighborhood. The size of the outbuilding indicates a potential for  
commercial use, which is not appropriate nor sought within this residential neighborhood. The  
potential for increased traffic, resulting from customers and delivery vehicles is not acceptable within  
a residential neighborhood.

The proposed outbuilding is also inappropriate in terms of architectural design. This building will be  
larger than the dwelling. Within the neighborhood, existing outbuildings include garages for 1 or 2  
cars and garden sheds approximating 10 feet by 10 feet. However, none of these buildings are larger  
than the dwellings. Additionally, by locating the building in the front yard of the property, it is visible  
from the roadway and detracts from the scenic views of the area.

I am also concerned that allowing the construction of this building will negatively affect the property  
values. Any reduction in value could result in loss of tax revenue to the county.

Allowing the variance will set a dangerous precedent for the neighborhood. If this one is allowed,  
how can future requests be denied? Denying this request for a variance will help to maintain the  
integrity of the existing neighborhood. Approving this request will be the first step downward toward  
a less valuable area.

In making your decision, I am requesting that neither the current stage of construction nor the  
monetary investment be taken into account. Expenses incurred prior to seeking zoning approval and  
potential demolition costs do not justify approval and should not be a factor in your decision.

In closing, I am again requesting that the zoning variance be denied. Compliance with the existing  
zoning requirements will not impose practical difficulty or unreasonable hardship. Denying the  
variance will maintain the general welfare of the residents of the neighborhood.

Please forward one copy of this letter to the zoning commissioner hearing this case.

Very truly yours,

*John E. Hayter*  
John E. Hayter

RECEIVED  
AUG 11 1995  
ZADM

6 Edelweiss Way  
Parkton, Maryland 21120  
August 11, 1995

Administrator,  
Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Reference Case #96-18-A

Dear Sir/Madam:

I am writing you as President of the Community Association for Chalet de La Rance, Section Number  
One, to protest the variance exception request in the above case. The members of our association have been  
polled and are unanimous in opposing the requested zoning exception for the proposed building.

Our community is a total residential area, with beautiful landscaping, rolling hills, and strong covenants that  
prohibit businesses or unattractive exterior buildings to be built or which might increase traffic on our  
narrow winding roads. The proposed building clearly does not fit the community environment nor the  
desires of our residents. This is a HUGE building, larger than the present residential house existing adjacent to  
the proposed building. Clearly, this building is meant for other than housing a lawn tractor or garden tools,  
the only kind of such exterior buildings existing in our community. Of even greater concern is the fact that  
this building is already constructed, under roof, and simply waiting for very, very large garage doors to be  
attached on either end of the building. How can such a building be constructed PRIOR to the date for input  
from the citizens, concerning the requested variance? As of today this building is largely completed, and  
the input date for the hearing is not until August 14, 1995. Clearly this individual has "jumped the gun" on  
his building, assuming that no citizen or citizen group would oppose this Variance. In fact we do oppose  
the building, based on the size, the clear recognition that this is being planned as some kind of business, and  
the narrow streets will simply not handle increased traffic volumes in our residential community.

Since I will not be able to attend the formal review of the variance request, please accept this letter as my  
formal objection to the requested building, even though located off the highway. This letter also represents  
the opinion of our Community Association Members, a community located adjacent to the residential area  
where this building has been constructed.

Should you wish to discuss this appeal in a more informal and personal way, you may call me on 410-357-  
8989.

Very truly yours,

*Clyde A. Heintzelman*  
Clyde A. Heintzelman  
President, Chalet de La Rance Community Association

Copy to: Officers-Community Association

RECEIVED  
AUG 14 1995  
DEPT. OF PERMITS & LICENSES  
OF BALTIMORE COUNTY

8/11/95  
3808-95-  
Paula R. Saggese  
227 Bentley Road  
Parkton, Maryland 21120

August 9, 1995

Department of Permits  
and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Case #96-18-A

Dear sir/madam:

I hereby wish to protest the zoning request being sought at 223 Bentley Road.

The building (which is already erected) not only appears to be built too close to property lines, but also violates the restrictions of our development, Bentley Estates. I have attached a photocopy of said restrictions for your reference.

Further, inasmuch as the resident at 223 Bentley Road is a gunsmith, I am deeply concerned that the storage building he has erected will be used to house guns, gun-making equipment, and ammunition. Also, I am worried that guns may be tested at his residence.

When my husband and I bought our property in 1974 we, like my neighbors, assumed that our neighborhood would remain a residential area and felt that the restrictions mentioned above would help to ensure that assumption. However, the zoning request which is being sought would not only detrimentally affect the aesthetics of our neighborhood, but more importantly, could subject our community to increased crime.

Therefore, in light of the above, I ask that the zoning request for 223 Bentley Road be denied.

Sincerely,

Paula R. Saggese  
Paula R. Saggese

Enc: 3

AUG 10 1995

ZADM

8/11/95  
76  
Department of Permits & Development Management  
111 West Chesapeake Ave.  
Towson, Maryland 21204  
Case #96-18-A

Dear Zoning Commissioner,

As homeowners and primary residents of 242 Bentley Road we wish to state our definitive objections to the approval/variance request in case #96-18-A at 223 Bentley Road. This construction is 3/4 complete. No permit/variance for the structure was given prior to the initiation of the construction. Our home and that at 223 is within the Bentley Estates which according to our deed falls under the covenants of Glock, Inc, dated August 31, 1973. It is our understanding that there are restrictions that must be abided by under these covenants in addition to the County process which was not abided by prior to construction. The covenants I refer to are enclosed.

If such construction is being utilized for business purposes it is in violation of the residential zoning area residents assume we are under. If it is to be used for gunsmithing purposes we have grave concerns for its potential impact in a neighbor area with multiple children, narrow streets and private homes. The potential hazards would be numerous, for the equipment and supplies it might contain.

We appreciate your attention to this matter and trust that the variance will not be granted secondary to the multiple issues identified above. I look forward to your expedient reply once the formal hearing has taken place.

Sincerely,

Linda Hutchinson-Troyer  
Linda Hutchinson-Troyer

Walter L. Troyer  
Walter L. Troyer

RECEIVED  
AUG 14 1995  
ZADM

Glock, Inc., its successors and assigns, and to run with said land.

8/11/95  
76  
Robert M. Vogel  
Gail Vogel  
208 Bentley Road  
Parkton, MD 21120

August 10, 1995

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204

RE: CASE #96-18-A

Gentlemen:

It has come to our attention that the owner of 223 Bentley Road is applying for a zoning change in order to construct a storage building. As a property owner, 208 Bentley Road, I fear this will do nothing but lower the property value, and deter from the appearance of our neighborhood.

It has also been brought to our attention that the owner is a gunsmith. What would stop the owner from storing guns, ammunition or other items. As the parents of 3 children, I feel this could be detrimental to the safety of not only my children but the neighborhood as a whole.

I strongly oppose the permit of this building.

Sincerely,  
Gail L. Vogel  
Gail L. Vogel

RECEIVED  
AUG 11 1995  
ZADM

August 7, 1995

Department of Permits and Development Management  
111 West Chesapeake Ave.  
Towson, Maryland 21204

RE: Case # 96-18-A  
223 Bentley Road, Parkton, Maryland

Dear Sir or Madame,

In 1992 we purchased the residence located at 11 Bentley Road, Parkton, Maryland. We also recently purchased a 1.8 acre vacant lot located in the one hundred block of Bentley Road for future residential use. We have invested our life savings into these two properties, and it is our desire that the Bentley Road area of Parkton remain a residential area.

Any zoning change which would allow a storage building larger than the residence to be constructed in this residential area, in our opinion, would hurt the residential character of the neighborhood. Literature circulated in the neighborhood alleges that the property owner is a gunsmith and the storage building "may or could" be utilized for the storage of guns, ammunition and gunmaking equipment. If this is accurate, such a use would target crime to the area and be a danger to the community.

Sincerely,

William S. Sewell  
William S. Sewell

Synette P. Sewell  
Synette P. Sewell

RECEIVED  
AUG 9 1995  
ZADM

8/11/95  
3806-95-  
Department of Permits and Development  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Reference: Case #96-18-A

We are against a change of zoning for 223 Bentley Road Parkton, Md. 21120 for a storage building larger than the original dwelling.

The building would not only deter from the appearance but is feared it could also affect the safety of our neighborhood. The owner of 223 Bentley Road is a gunsmith and it is feared that this storage building could be utilized to store guns, ammunition, gun making equipment and therefore be a target for crime.

Sincerely,

Dolores E. Geis  
Dolores E. Geis  
Frank W. Geis  
Frank W. Geis

RECEIVED  
AUG 10 1995  
ZADM

8/11/95  
3832-95-  
Dept of Permits and Development Mgmt.  
111 W Chesapeake Avenue  
Towson, MD 21204

August 11, 1995

Dear Sirs,

We are writing in regards to the request for a zoning variance at 223 Bentley Road in Parkton. The case re involved is 96-18-A. Our concern is related to the size and nature of the building already under construction. The building appears to be a commercial size. We believe that a hearing would be very beneficial in this case so that our concerns can be explored.

RECEIVED  
AUG 14 1995  
ZADM

Sincerely,  
Brian L. Behrman  
Barbara Behrman  
MR. & MRS. BRIAN L. BEHRMAN  
223 BENTLEY ROAD  
PARKTON, MD 21120

8/11/95  
76  
Parkton, Md.  
August 11, 1995  
Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Md. 21204

Dear Sir:

It has come to my attention that a neighbor at 223 Bentley Road has constructed a building on this property for storage. He now has to have this property rezoned. Since he is a gunsmith we his neighbors feel he might store guns and ammunition and other gunmaking equipment. This could prove to be a target for crime.

We have a nice clean neighborhood and we would like to keep it that way.

Thank you for listening to my complaints and please give them careful consideration in your decision not to rezone this property.

case # 96-18-A

Sincerely,  
Walter & Myrtle Goble

RECEIVED  
AUG 14 1995  
ZADM

8/11/95  
76  
August 11, 1995  
Dept of Permits & Development Management  
111 W Chesapeake Ave.  
Towson, Maryland 21204

RE: Case #96-18-A

We have been advised that a zoning change is being sought in our neighborhood at 223 Bentley Rd which entails construction of a storage building which is greater than that of the original dwelling. Additionally, this building may be used to store guns, ammunition and gunmaking equipment adding a safety issue to this request.

We are opposed to this zoning change request as such the building should not be in character with our serene neighborhood where homes are distinctive, beautiful and of high value. We ask that this request be denied.

Sincerely,

Charles T. and Joan C. Carroll  
189 Bentley Rd.  
Parkton, Md. 21122

RECEIVED  
AUG 14 1995  
ZADM



3780-95

8/14/95  
JH

I am writing to you regarding Case # 96-18-A. I am very concerned about the building which is being constructed on 223 Bentley Road. It has been brought to my attention that the building may be used for storing guns + gunmaking equipment. My husband + I moved to Bentley Road 3 1/2 yrs ago because of the safety, peace + beauty that this community projects. We now have a 2 yr old daughter and are concerned for her safety should this situation be allowed to occur. There is no reason why this type of activity should be able to take place in our neighborhood. Not only will it deter from the appearance of our neighborhood but possibly lead to crime. Please - when making your decision regarding this zoning issue - I would greatly appreciate your consideration of these stated concerns.

Sincerely M. H. Hester

August 9, 1995

3807-95

JOSEPH A. NAWROCKI  
115 BENTLEY RD.  
PARKTON, MD 21204Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Md. 21204

RE: Case #96-18-A

## Dear Commissioners:

This letter is in reference to Case #96-18-A. This case is a request for a zoning change by the owner of 223 Bentley Road which would allow the owner to build a storage building which would be larger than the original dwelling.

When I purchased my home in Bentley Estates 19 years ago, the developer, Glock Inc., furnished me with the covenants and restrictions for this development that would prohibit such a large storage building to be erected in Bentley Estates.

I strongly object to a zoning change that would allow two large buildings on one lot in this residential neighborhood. If this zoning change is granted, it may set a precedent for similar future requests which I am sure most of the neighbors would not want.

RECEIVED  
AUG 10 1995

ZADM

Sincerely Yours,  
Joseph A. Nawrocki

8-7-95

8/8/95  
OJ3739-95  
WOCMark Herwig  
239 Bentley Rd  
Parkton, MD 21204Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204Re: Case #96-18-A  
223 Bentley Road

DEAR SIR:

I object to the change of zoning being requested by the owner of 223 Bentley Road. The setback variance and the size of the storage building being requested are not appropriate for the neighborhood.

The current zoning requirements have a very important purpose in maintaining the stability of a neighborhood. As setback laws and maximum sizes of outbuildings are removed, there is the very real potential of chaotic development, which decreases the property values.

As a current resident of Bentley Estates, I strongly object to any development that requires a variance to existing zoning.

8 August 1995

115 Bentley Rd.  
Parkton, MD 21204  
3796-95Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
8/11/95  
p. 13  
JH

So When I May Concern:

This letter is in reference to Case #96-18-A whereas the owner of 223 Bentley Rd. Parkton - is seeking a change in zoning for construction of a large building for storage. One could wonder what a large building like this would be used for in a residential area. It is my understanding that this building would be larger than the original dwelling. If this is the case I feel the zoning change should not be approved because this would be like permitting 2 homes to be built on one property.

I like other people in this area have lived or purchased homes because of it being "zoned residential". Once there is one "change of zoning" more will be sought and the value of our properties will decline greatly.

Please consider the rights and wishes of the already residents - some of 20 years or more - and leave our area as it has been. There are too many areas being changed - most cases not for the good of the community. When our house was built we thought it really great to have a "covenant" and restrictions from Mr. Charles Dick the developer of Bentley Estates. It was one reason for living in this area. Now with changes in zoning all this could change.

Respectfully,  
Mrs. Betty Nawrocki

PLEASE PRINT CLEARLY

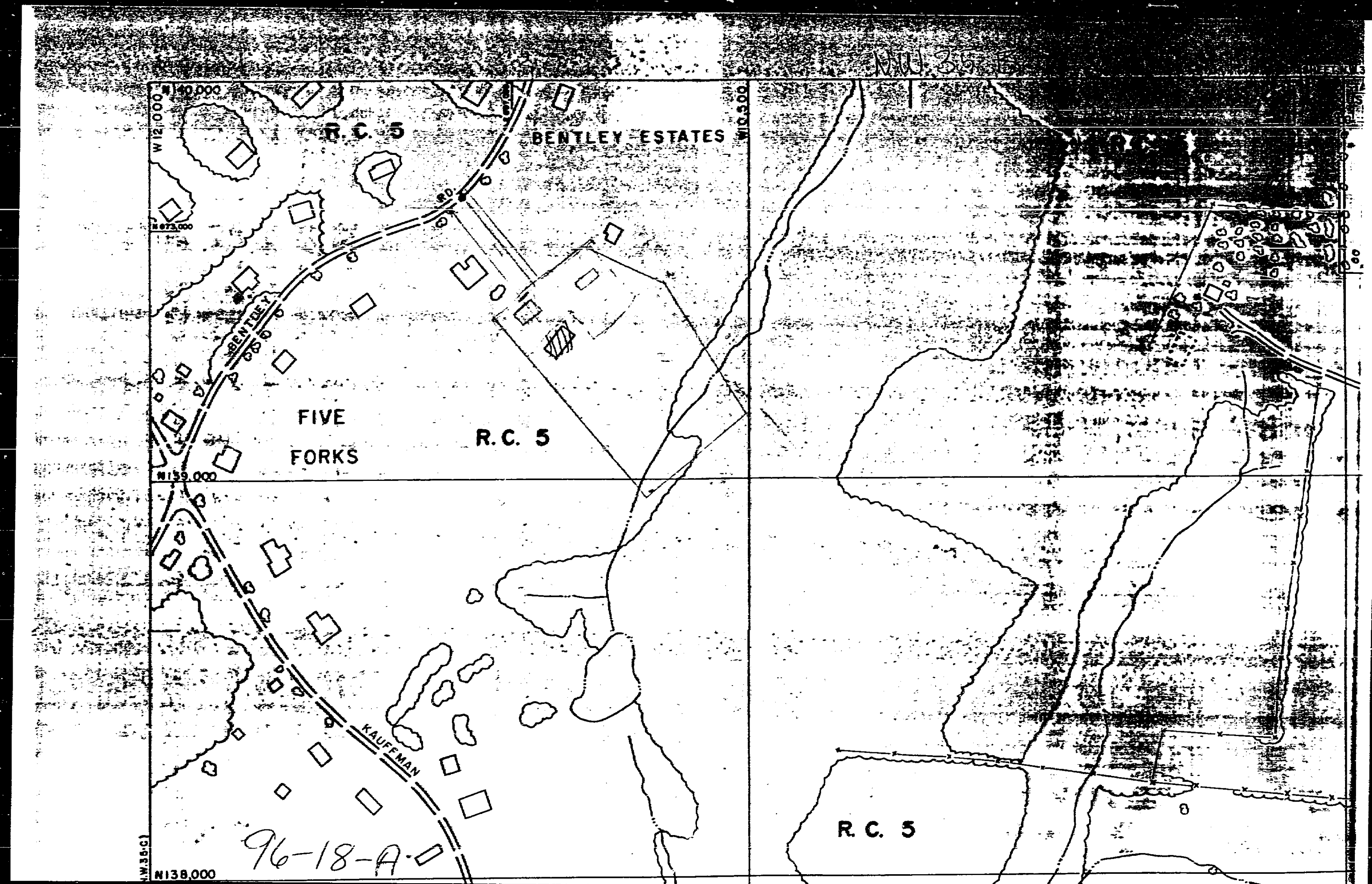
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
MICHAEL MARINO	609 Sosley Ave Towson MD 21204
Samuel McKinnon	7633 South Bend Rd 21202
Frank Lee	1277 HEISBURN AVE 21237
Jerry Phillips	223 Bentley Parkton Md 21204

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Marched	160 Bentley Rd. Parkton
JOSEPH A. NAWROCKI	115 BENTLEY RD. PARKTON 21204









96-18-A



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION FIVE FORKS	SHEET N.W. 35-B	MICROFILMED
DATE OF PHOTOGRAPHY JANUARY 1966			